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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of)	MM Docket No. 93-89
)	
AURIO A. MATOS)	File No. BPH-911114MS
)	
LLOYD SANTIAGO-SANTOS and LOURDES)	
RODRIGUES BONET)	File No. BPH-911115MP

To: Honorable Joseph P. Gonzalez
Administrative Law Judge

REPLY TO OPPOSITION TO PETITION TO ENLARGE ISSUES

Aurio A. Matos ("Matos") by his counsel and pursuant to Section 1.229(e) of the Commission's Rules, replies to the Opposition to Petition to Enlarge Issues filed by competing applicant Lloyd Santiago-Santos and Lourdes Rodrigues Bonet ("Santiago and Bonet") on May 25, 1993. ^{1/}

In the Petition to Enlarge Issues Matos filed on May 14, 1993, Matos requested the designation of the following issues against Santiago and Bonet:

a. Whether Santiago and Bonet violated Section 1.65 of the Commission's Rules when they failed to report the broadcast ownership interests of family members, notwithstanding the specific requirement for disclosure on the Form 301 application.

b. Whether Raul Santiago is an undisclosed real party-in-interest in the Santiago and Bonet application.

c. Whether in light of the evidence adduced pursuant to the foregoing, Santiago and Bonet are basically qualified to be Commission licensees.

Santiago and Bonet admit that there are several familial broadcast interests that were not reported in the original application. As a defense to their failure to report, they point

^{1/} This reply is timely filed in accordance with Sections 1.4 and 1.45 of the Rules.

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to the fact that Matos amended his application in December 1992 to report the broadcast interests possessed by his family members. This defense is actually a fact that further supports the addition of the reporting issue because it placed Santiago and Bonet on notice about the need to file such information with the Commission.

WMSW, Hatillo, Puerto Rico is 90% owned by Santiago's immediate family. His mother, Zaida Santos Rivera is the president, a director and 45% stockholder while his brother, Hector Santiago-Santos owns 45% of the stock and is the secretary and a director. Lloyd Santiago-Santos was general manager of that station from 1982 to 1991.

Puerto Rico is a community property jurisdiction, so that Santiago's father is a co-owner of the 45% of the stock that Zaida Santos Rivera holds in Aurora. It is also not clear whether, aside from the meeting concerning a site, Santiago's father had any further involvement in the preparation and prosecution of the Culebra application. Coupled with a failure to disclose family media interests which was more than inadvertent, and the "family" nature of all the media interests (see Opposition at ¶ 2) there are sufficient grounds for the addition of the requested real party-in-interest issue. See, Astroline Communications Co. Limited Partnership v. F.C.C., 857 F.2d 1556 (D.C. Cir. 1988); Virginia Communications. Inc., 2 FCC Rcd 1895 (1987) (attribution of

Respectfully submitted,

Shirley L. Green, Secy. Bill R.

CERTIFICATE OF SERVICE

I, Scott Cinnamon, do certify that on this 7th day of June, 1993, a copy of the foregoing was sent via first class mail, postage pre-paid or delivered, as indicated, to the parties set forth below:

Honorable Joseph P. Gonzalez

Administrative Law Judge